

Council on Postsecondary Education
March 25, 2002

Council Conflict of Interest Policy

Action: The staff recommends that the council approve the attached Council Conflict of Interest Policy.

Council members and employees are covered by the executive branch ethics legislation and by the model procurement code which set forth guidelines for ethical behavior. The external auditors, Potter & Company, Inc., recommended that the council establish a conflict of interest policy and disseminate that policy to council members and employees so that the standards of behavior required by the statutes are clear.

Dennis Taulbee is the council ethics officer.

1:3: Council Conflict of Interest Policy

I. Statement of Purpose

Council members and employees are covered by the executive branch ethics legislation and by provisions of the model procurement code. These statutes regulate actual, potential, and apparent conflicts of interest that may arise through the procurement of goods and services by the agency or through business relationships between council members or employees and outside entities. This policy supplements the requirements of the statutes and describes appropriate behavior and action for council members and employees in typical situations where a conflict of interest issue may arise.

II. Statutory Authority

KRS 11A.010 through 11A.060 and KRS 45A.340.

III. Policy Statement

A. General Provisions

1. A council member or council employee is to:
 - a. Act on behalf of the best interests of the council;
 - b. Avoid personal and business conflicts of interest;
 - c. Avoid even the appearance of a conflict of interest; and
 - d. Disclose a potential or actual conflict of interest to the council ethics officer.
2. All council members and employees will be given a copy of the council conflict of interest policy and will be provided with relevant information prepared by the Kentucky Executive Branch Ethics Commission and the Finance and Administration Cabinet.

B. Council Ethics Officer

1. The president shall designate an ethics officer for the agency who shall be responsible for ensuring compliance with the requirements of the law and this policy.

2. The council ethics officer also shall be responsible for:
 - a. Disseminating information about the requirements of the ethics law and this policy;
 - b. Reviewing requests from agency employees about outside employment and other ethics-related issues; and
 - c. Communicating requests, with the approval of the president, for advisory opinions from the Executive Branch Ethics Commission.

C. Purchasing

1. A council member or employee shall not benefit from contracts offered and issued by the council.
2. A council member or employee shall not have any interest, direct or indirect, in any contract on which the member or employee is required to act or vote. If a situation arises where a member or employee does have an interest in a contract that is before the council, the member or employee shall not, in any manner, be involved in the development, consideration, or approval of the contract.
3. A council member or employee shall report to the council ethics officer any attempt to influence the award of a contract.

D. Gifts and Meals

1. A council member or employee may not take gifts from colleges and universities or vendors doing business with the council if the value of the gift is more than \$25. The limit of \$25 is an annual amount.
2. A council member or employee should request that a college or university bill the council for meals provided at events sponsored by the college or university. The same \$25 annual limit applies. If a council member or employee is a participant in a college or university event, the meal does not have to be reimbursed.

Certification:

Gordon K. Davies, President

Previous Actions:

Original Approval:

